

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	No. 2:08-CR-00013
)	CHIEF JUDGE HAYNES
JOSEPH WOLCOTT,)	
a/k/a "Wildcat",)	
)	
Defendant.)	
)	
DeAnna Wolcott, Petitioner)	

**CONSENT ORDER OF FORFEITURE OF \$80,000.00
IN LIEU OF FOREFITURE OF REAL PROPERTIES LOCATED AT
580 EASTLAND CEMETERY ROAD AND 3979 TAYLORS CHAPEL ROAD**

Upon reading and filing of the Joint Motion for Entry of Consent Order of Forfeiture Of \$80,000.00 In Lieu of Forfeiture of Real Properties Located at 580 Eastland Cemetery Road and 3979 Taylor's Chapel Road, and it further appearing to the Court as follows:

WHEREAS, a Preliminary Order of Forfeiture entered in this matter on March 2, 2011 forfeiting to the United States the Defendant Joseph Wolcott's interests in the following real properties:

- (1) 580 Eastland Cemetery Road, Sparta, Tennessee¹, and
- (2) 3979 Taylor's Chapel Road, Crossville, Tennessee²

(hereinafter collectively referred to as "Real Properties").

¹Legal description attached as Exhibit A

²Legal description attached as Exhibit B

WHEREAS, Deanna Wolcott filed a petition for hearing to determine the validity of her interests in the Real Properties.

WHEREAS, First National Bank filed a Petition for Adjudication of Claim to determine the validity of its interests in the Real Properties. First National Bank of Tennessee has a secured interest in 3979 Taylor's Chapel Road, Crossville, Tennessee pursuant to a Deed of Trust dated August 1, 2005 and signed by Joseph M. Wolcott and wife, Deana G. Wolcott and recorded in the General Index Book 1205, page 1737, Register of Deeds Cumberland County, Tennessee on August 16, 2005. Said Deed of Trust secures a Home Equity Line of Credit Note dated September 8, 2010 in the amount of \$110,000.00 which was also signed by Joe and Deana Wolcott.

WHEREAS, the parties are unaware of any other person or entity who has an interest in the Real Properties.

WHEREAS, Deanna Wolcott and the United States have reached an agreement whereby the United States has agreed to accept and Petitioner Deanna Wolcott has agreed to pay \$80,000.00 United States currency in lieu of forfeiture of the Real Properties.

WHEREAS, Deanna Wolcott has agreed that notwithstanding the Settlement Agreement, she will abide by the terms of the First National Bank Deed of Trust and the Deed of Trust will remain in place until the terms therein are satisfied.

WHEREAS, Petitioner Deanna Wolcott has paid \$80,000 United States currency to the United States Marshals Service on October 4, 2013.

IT IS HEREBY ORDERED THAT:

1. Pursuant to 21 U.S.C. § 853 and the agreement between Petitioner Deanna Wolcott and the United States, \$80,000.00 United States currency is hereby forfeited to the United States in lieu of forfeiture of the Real Properties.

2. Pursuant to the agreement between Petitioner Deanna Wolcott and the United States, any interest transferred to the United States via the Preliminary Order of Forfeiture as to the real property located at 580 Eastland Cemetery Road, Sparta, Tennessee is hereby transferred to Deanna Wolcott and is no longer subject to forfeiture to the United States.

3. Pursuant to the agreement between Petitioner Deanna Wolcott and the United States, any interest transferred to the United States via the Preliminary Order of Forfeiture as to the real property located at 3979 Taylor's Chapel Road, Crossville, Tennessee is hereby transferred to Deanna Wolcott and is no longer subject to forfeiture to the United States.

4. Pursuant to the agreement between Petitioner Deanna Wolcott and the United States, Petitioner Deanna Wolcott agrees to continue to abide by the terms of the loan documents currently in place between First National Bank and Petitioner with regard to Taylor's Chapel, and First National Bank's secured lien shall remain in place until the terms therein are satisfied.


5. Upon entry of this Order, the United States shall file a Release of Lis Pendens with the White and Cumberland County Register of Deeds Offices relinquishing all right title and interest the United States may have to the Real Properties.

6. This Order is a final order and resolves all matters between the United States and Deanna Wolcott.

7. Entry of this Order is the final forfeiture order in this matter, as the forfeiture portion of this matter is complete.

8. The Court shall retain jurisdiction to enforce this Order and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

IT IS SO ORDERED this 17th day of February, 2014.


CHIEF JUDGE HAYNES
UNITED STATES DISTRICT JUDGE

Approved for Entry:

s/Howard L. Upchurch with permission
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s/Debra T. Phillips
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580 Eastland Cemetery Road, Sparta, Tennessee

All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at the following and more particularly described as:

In the SECOND CIVIL DISTRICT of White County, Tennessee,
bounded and described as follows:

Same being approximately 5 ½ acres of the S.W. corner of the tract of land conveyed to J.F. Crawford by the Van Buren Coal and Lumber Company, by deed of record in Book -4, page 32, Register's Office at Sparta, Tennessee said tract measures approximately 70 yards wide, running East and West and approximately 385 yards long, running North and South. The conveyance is made subject to all the reservations contained in the above mentioned deed.

Beginning on a stone and pointers in the line of the Eastland Cemetery, A.B. Crawford's corner; thence S 71°W 5 poles to the corner of the cemetery, thence N 24°W 20 poles to a black oak and pointers in Lewis line; thence N 87 ½°W 38 ½ poles to a stone and pointers, Lewis corner; thence South 2 poles to a stone and pointers at the old Ross Road; thence with said road South 75°West 15 poles to a stone and pointers at said road; thence S 1 ½°W 54 ½ poles to a stone and pointers; thence south 87 ½°East 88 poles to a stone and pointers, A.B. Crawford's corner; thence N 1 ½°E 45 poles to the beginning, containing 25 acres, more or less. This conveyance is made subject to the mineral right reserved by Van Buren Coal and Lumber Company.

Beginning on a stone in the old Ross Road, J.F. Crawford's corner; thence with said road S 80°W 16 poles to a stone at said road; thence S 2 ½°W 102 poles to a stone and pointers; thence S 87 ½°E 83 1/3 poles to a stone and pointers; thence N 2°V2°E 51 3/5 poles to Crawford's corner; thence N 2 ½°E 54 ½ poles to the beginning, containing 36 acres, more or less, but including and excluding about 5 ½ acres heretofore conveyed to W.D. McBride and wife, by deed dated January 25, 1951.

Being the same property conveyed to Joseph Wolcott and wife Deana Wolcott by Warranty Deed dated August 31, 1994 from Ronald Haymond and Betty Haymond of record in Warranty Deed Book 220, page 512, Register's Office, White County, Tennessee.
Map 073 Parcel Number 029.00.

Exhibit A

3979 Taylor's Chapel Road, Crossville, Tennessee

All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at the following and more particularly described as:

In the Eighth Civil District of Cumberland County, Tennessee, bounded and described as follows:

Beginning at a corner stone marker and being the corner of James C. Weaver at the edge of Taylor's Chapel Road; thence North 23 05' East a distance of 210 feet to a corner stone on the property line of Dr. Selecman and the Taylor's Chapel Road; thence South 50 West 893 feet to a stone; thence North 4 West 316 feet to a stone of James C. Weaver's property; thence North 4 East 1472 feet to the beginning, containing 5 acres, more or less.

Map 124-34

Being the same property conveyed to the grantors herein by virtue of deed dated March 26, 1983 from Gerald K. Whittenburg and wife, Laura Lee Whittenburg, of record in Deed Book 265, Page 813, Register's Office, Cumberland County, Tennessee.

Being the same property conveyed to Joseph M. Wolcott and wife, Deana G. Wolcott by virtue of deed dated June 16, 1992 from Esell J. Whittenburg and Sarah B. Whittenburg, of record in Deed Book 434, Page 281, Register's Office, Cumberland County, Tennessee

Map 124 Parcel Number 034.00

In the Eighth Civil District of Cumberland County, Tennessee, bounded and described as follows:

TRACT NO. 1: Beginning at the center of the Taylor Chapel Road; thence South 50 West 1182 feet to a stake in Selecman's line; thence with said line North 86 West 264 feet to a rock corner; thence North 4 East with old line 27 feet to a stake; thence North 50 East 1353 feet to center of Taylor Chapel Road; thence with said road Southeasterly to the beginning, a distance of 209 feet, containing 6 acres, more or less.

Exhibit B

TRACT NO. 2: Beginning on a stone on the west side of the Taylor's Chapel Road at the James C. Weafer north property line, thence North 30 West 60 feet to a stone; thence South 72 34' West 970 feet to a stone; thence South 4 West 595 feet to a stone; thence with Weaver property line North 50 East 1295 feet to the beginning containing 7 acres, more or less.

Being the same property conveyed to Joseph M. Wolcott, by virtue of a deed from Deana G. Rector, dated March 24, 1988, of record in Deed Book 356, Page 731, Register's Office, Cumberland County, Tennessee.

However, this conveyance is made subject to a Mortgage held by First National Bank, Crossville, TN, dated November 10, 1986, to J.W. Brown, TR., of record in Misc. Book 313, page 374, Register's Office, Cumberland County, Tennessee.

Being the same property wherein Joseph M. Wolcott transferred a 1/2 undivided interest in order to create an estate as tenants by the entirety to Deana G. Rector Wolcott by virtue of deed dated May 23, 1989 of record in Deed Book 380, Page 77, Register's Office, Cumberland County, Tennessee.

Map 124 Parcel Number 035.00

Exhibit B